IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No. 1355 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE A.M.KAPADIA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KALABHAI BATABHAI & 4 - Applicant(s)

Versus

STATE OF GUJARAT & 3 - Opponent(s)

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Appearance :

NANAVATY ADVOCATES for Petitioner No(s).: 1,2,3,4,5.

Ms. Archna Raval AGP for Respondent No(s).: 1, 2, 3,4.

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CORAM : HON'BLE MR.JUSTICE A.M.KAPADIA

Date : 20/07/2005

ORAL JUDGMENT

1. Mr. D.V. Vaidya, learned advocate for Nanavaty Advocates, learned advocate for the petitioners, seeks leave to withdraw this revision application with a view to file substantive petition since this

revision application which is filed against an interlocutory order is now not maintainable in view of the amendment made in Section 115 of the Code of Civil Procedure.

2. Ms. Archna Raval, learned AGP for respondent Nos.1 to 4 has no objection if leave as prayed for is granted.

3. Hence, leave to withdraw the Civil Revision Application is granted. The revision application stands disposed of as withdrawn with no order as to costs. Rule is discharged. Interim relief granted earlier stands vacated.

(A.M. Kapadia, J.)

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(karan)